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In re application of
Yoshifumi Takeyama et al.
Serial No. 09/840,893
Filed: April 25, 2001
For: NON-CONTACT TREATMENT METHOD

DECISION ON
PETITION

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a), filed March 26, 2004 and resubmitted July 01, 2004 . The petition requests that the abandonment, as set forth in the Notice of Abandonment of March 15, 2004, for failure to timely file a proper reply to the Office letter mailed July 16, 2003 be withdrawn since the applicants did timely file a reply on October 16, 2003. (A copy of the reply is attached to the instant petition as well as a copy of the USPTO date stamped postcard receipt.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's reply was properly filed on October 16, 2003 as evidenced by the copy of the USPTO date stamped return receipt postcard indicating receipt of the reply at the USPTO on October 16, 2003. Accordingly, any holding of abandonment for failure to timely file a proper reply to the Office letter mailed July 16, 2003 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for entry, processing and consideration of the reply originally filed October 16, 2003.

The Petition is GRANTED.

J. Stone

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